

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services proposes to amend Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code.

This amendment increases the reimbursement rate for family planning clinics. 2009 Iowa Acts, chapter 182, section 32(1)(o), directed the Department to increase reimbursement for these services effective July 1, 2009, by 5 percent over the rates in effect on June 30, 2009. This change was not implemented. These amendments are intended to rectify that omission by applying the 5 percent increase to the last five months of state fiscal year 2010, for services rendered from February to June 2010.

Had this 5 percent increase been implemented effective July 1, 2009, it would have been eliminated effective December 1, 2009, pursuant to Executive Order Number 19, after having been in effect for five months. (See amendments Adopted and Filed Emergency and published in the Iowa Administrative Bulletin on December 2, 2009, as **ARC 8344B**.) Therefore, making the increase effective for the last five months of the fiscal year provides an equivalent benefit to the family planning clinics. An adjustment to the amendments as Adopted and Filed Emergency in **ARC 8344B** is contained in a rule making published herein as **ARC 8643B**.

This amendment does not provide for waivers in specified situations since higher reimbursement for services benefits family planning clinics and the benefit is set by statute.

This amendment was also Adopted and Filed Emergency and is published herein as **ARC 8647B**. The purpose of this Notice is to solicit comment on that submission, the subject matter of which is incorporated by reference.

Any interested person may make written comments on the proposed amendment on or before April 27, 2010. Comments should be directed to Mary Ellen Imlau, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by E-mail to policyanalysis@dhs.state.ia.us.

This amendment is intended to implement Iowa Code section 249A.4 and 2009 Iowa Acts, chapter 182, section 32(1)(o).